

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

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CLERK U.S. DISTRICT COURT	
WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)  
The TARGET VEHICLE, more fully described in  
Attachment A

Case No. 3:23-mj-05408

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, incorporated by reference.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 661	Theft of Property within the United States Territorial Jurisdiction

The application is based on these facts:

- ☒ See Affidavit of Kevin Buckley, continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.

KEVIN BUCKLEY

Digitally signed by KEVIN BUCKLEY  
Date: 2023.11.16 11:06:14 -08'00'

Applicant's signature

Kevin Buckley, Law Enforcement Ranger

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
- ☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 11/17/2023



Judge's signature

City and state: Tacoma, Washington

David W. Christel, United States Magistrate Judge

Printed name and title

# AFFIDAVIT

[illegible]

I, Kevin Buckley, a Law Enforcement Ranger with Olympic National Park located near Port Angeles, Washington having been duly sworn, state as follows:

## AFFIANT BACKGROUND

1. I have served as a law enforcement officer for the past fifteen years for the National Park Service (NPS), United States Department of the Interior. I have been stationed as the Hurricane Ridge Ranger in the Olympic National Park and within the Western District of Washington for the past five years. I successfully completed course work and graduated from Amherst Law Enforcement Academy in 2006 and the Federal Law Enforcement Training Center (FLETC) in 2013. Additionally, I have completed numerous law enforcement training courses involving hundreds of hours of classroom work and practical exercise for the NPS. I have attended and completed an NPS 40-hour law enforcement refresher training every year since 2006. This affidavit is based upon my personal knowledge and experience, as well as information from other law enforcement officers.

## INTRODUCTION AND PURPOSE OF AFFIDAVIT

2. I submit this affidavit in support of a search warrant of a 2005 tan and spray painted black 2005 Jeep Grand Cherokee with Washington Plate BDA751 VIN 1J4HR58265C676481 (hereinafter referred to as “**Target Vehicle**”) containing evidence of Theft Occurring within United States Territorial Jurisdiction, in violation of 18 § USC 661. The Target Vehicle is known to be owned and operated by MARK T KEEND. The **Target Vehicle** is currently held in impound at the Clallam County Public Works Lot in Port Angeles Washington.



3. I set forth in this affidavit only those facts I believe necessary to support probable cause that evidence of violations of Theft of Property within United States Territorial Jurisdiction, in violation of 18 U.S.C. § 661, will be found in the **Target Vehicle**. I do not purport to summarize all the evidence gathered during my investigation, nor does the discussion below include all facts known to me or others involved with this investigation.

4. The facts set forth in this affidavit are based on my own personal knowledge; knowledge obtained from other law enforcement officers and interviews of witnesses and information gained through my training and experience.

#### **SUMMARY OF PROBABLE CAUSE**

5. On November 8, 2023 at approximately 1230 hours, I was dispatched to 3703 East Beach Rd, Port Angeles, Washington (the **"Property"**), a private property inholding within the exclusive jurisdiction of Olympic National Park, for a report of a residential burglary. The **Property** is a vacation rental managed and owned by the Hoare family.

6. Upon arrival I contacted Jim Hoare, the father of Chris Hoare who is the property owner. J. Hoare had arrived at the **Property** at 1200 hours to clean the hot tub

1 and take away the trash and recycling. As part of maintaining the Property, J. Hoare  
2 routinely visits the **Property** to clean the hot tub, complete routine maintenance, respond  
3 to calls for service from renters and remove trash and recycling to prevent its build up. J.  
4 Hoare had notified the renters the day before by a phone call that he would be coming to  
5 service the hot tub and remove trash.

6 7. J. Hoare told me that the property is currently rented and occupied by  
7 Ursula Fiedler and Angela Meyer (the “renters”) who arrived in a red Toyota Carola. The  
8 renters had left the **Property** on personal business on November 7, 2023, around 1630  
9 hours and had not returned at the time of the call. The Hoare family have rented the  
10 **Property** to Fiedler and Meyer for over 10 years. J. Hoare told me he has become  
11 personal friends with the renters over the years, as they come for a month at a time every  
12 spring and fall. J. Hoare said that the renters have always been neat and tidy, leaving the  
13 house in a good state when they leave and have never caused problems.

14 8. J. Hoare stated upon his arrival to the **Property** he saw the **Target Vehicle**  
15 parked partially under a car port shed located next to the residence. J. Hoare did not  
16 recognize the **Target Vehicle** belonging to the long-time renters and had not given any  
17 permission for any others to use the property.

18 9. While under the car port, J. Hoare saw that a pad locked door in the corner  
19 had been damaged as the base plate was broken off from the latch, as if it had been  
20 kicked open. Additionally, a green plastic 50-gallon trashcan that had been stored in the  
21 locked garage was found in the carport next to the **Target Vehicle’s** left rear passenger  
22 door.

23 10. While examining the garage door, J. Hoare noticed that a plastic façade  
24 screen was missing from the middle window, which was later found by him across the  
25 driveway in the woods. It appeared that it had been pulled or pried off. Later examination  
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1 of the garage door window showed finger and partial palm marks where someone had  
2 pulled the center of the plastic façade screen away from the window.

3 11. J. Hoare additionally noticed property out of place and scattered around the  
4 yard, including damaged pieces of a battery powered vacuum that had been removed  
5 from inside the living room of the residence. Upon investigating the house and then the  
6 closed garage, J. Hoare discovered missing property and items out of place. He proceeded  
7 to look through the windows of the **Target Vehicle** and saw property belonging to the  
8 house and his family in the vehicle.

9 12. J. Hoare did not find anyone in the house or on the property.

10 13. J. Hoare was able to identify the following property in the **Target Vehicle**,  
11 which he knew had been stored in the **Property's** garage and belonged to the Hoare  
12 family.

13 i. A set of yellow vehicle jumper cables that had been hanging  
14 on the wall of the garage;

15 ii. Costco brand paper towels, toilet paper, and chemical wipes  
16 that had been stored in a cleaning closet inside the garage. The quantities missing from  
17 the cabinet were consistent with what appeared to be piled in the rear of the vehicle;

18 iii. A 2.5-gallon red gas can, and a 5-gallon red gas can in the  
19 middle and back left of the **Target Vehicle**, which matched the red gas cans missing  
20 from the garage that had been located next to the lawn mower.

21 iv. A yellowish extension cord with the end cut off. The cut off  
22 plug head was located on the floor in the garage.

23 v. Additionally, rolls of white trash bags are also suspected of  
24 being in the vehicle that are missing from the garage, with the empty box found on the  
25 floor of the garage.

1           14. It is suspected that a missing a leaf blower, DeWalt battery charger, DeWalt  
2 batteries and chainsaw, that were stored in the garage and are now missing, are also  
3 located inside the **Target Vehicle**. These items are missing from their usual storage  
4 locations in the garage.

5           15. Due to the large quantity of items in the vehicle that are piled from floor to  
6 nearly ceiling it is not possible to see all the items stored in the rear compartment of the  
7 vehicle.

8           16. From a separate shed located on the side of the house, all the black trash  
9 bags are also missing and suspected of being in the **Target Vehicle**.

10           17. Leaning next to the **Target Vehicle** on the passenger side in the carport,  
11 was a 6-foot-tall fishing rod that had been locked in the garage, and had been stored with  
12 multiple other rods affixed to a shelf in the garage.

13           18. On the ground next to the rear passenger door, a black tool case that would  
14 hold Dewalt power tools was found empty and open. This had been stored in the garage  
15 near the workbench against the wall.

16           19. A shop vac vacuum bag belonging to a missing shop vac from the garage  
17 was also located on the ground next to the front passenger side door of the **Target**  
18 **Vehicle**.

19           20. Realizing his house had been burglarized, J. Hoare contacted Olympic  
20 Dispatch and requested our response.

21           21. Ranger Carl Garrett arrived shortly after me and immediately recognized  
22 the **Target Vehicle**, which he suspected to belong to KEEND due to previous  
23 interactions involving suspected theft and illegal camping within the park on October 9,  
24 2023, where the **Target Vehicle** was identified, including by license plate. Garrett also  
25 recognized the **Target Vehicle** from a report sent by Clallam County Sheriff's Deputy,  
26  
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1 who identified KEEND as a suspect for a burglary that occurred outside the park, and  
2 which involved the **Target Vehicle**, also identified by license plate.

3 22. In speaking with a Clallam County Deputy during the impound process in  
4 this case, they pulled up recent contacts involving the **Target Vehicle**. On November 7,  
5 2023, an individual reported that a vehicle, matching the description of the **Target**  
6 **Vehicle**, and identified by license plate, was parked on their property. The adjacent  
7 property is the known residence for KEEND. On October 17, 2023, KEEND was also  
8 arrested while driving the **Target Vehicle** with a suspended driver's license.

9 23. When Ranger Garrett and I arrived to the **Property**, we investigated and  
10 were unable to specifically locate how the **Property** was broken into. All doors and  
11 windows were reportedly locked upon J. Hoare's arrival, only the Hoare family has the  
12 garage code, and the extra key was still hanging in the house. When the renters arrived,  
13 they were still in possession of the house keys.

14 24. The only sign of forced entry we were able to locate was the kicked in door  
15 in the car port. We did locate a ladder placed on the side of the house up against a  
16 window approximately 15-feet off the ground. The ladder, per J. Hoare, had been stored  
17 on the back side of the car port wall with all the other ladders. J. Hoare did not identify  
18 any reason why the ladder would have been placed at the window. Aside from the  
19 previously mentioned plastic façade screen from the garage door window, we were  
20 unable to locate any other broken locks, damaged windows, door frames or any other  
21 manner of forced entry.

22 25. Based on my training and experience the gaps in the door frames and  
23 simple locks could be popped open with a credit card like object slipped in between the  
24 frame and door to open the door. A wall mounted vacuum cleaner that had been attached  
25 to the living room wall was found broken into pieces and the battery removed in the side  
26  
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1 yard in a bucket which indicated entry into the house. From there the same technique  
2 could be used to access the garage which is locked to prevent renter access to the garage.

3 26. Looking into the **Target Vehicle**, I saw tools I know to be used to facilitate  
4 burglary, based on my training and experience. Specifically, a 6-inch handled pry bar  
5 was sitting on the passenger seat and a pair of shears sitting on the driver seat. Other tools  
6 that could be associated with burglary tools were scattered around the front compartment  
7 including screwdrivers and spray paint for blinding cameras.

8 27. Additionally, a voltage meter labelled "Clallam County 60833" was sitting  
9 on the passenger floorboard. On November 9, 2023, it was reported separately by a  
10 property in holder that their voltage meter had been stolen from their residence at 227181  
11 Highway 101. This is approximately 8.3 miles from where the **Target Vehicle** was  
12 located and within the exclusive jurisdiction of Olympic National Park. On November 10,  
13 2023, I was able to confirm through Clallam Country Public Utilities District (PUD) that  
14 the voltage meter with sticker number 60833 did belong to 227181 Highway 101. The  
15 property owner and Clallam County PUD both stated that they had not given permission  
16 for anyone to take the voltage meter.

17 28. Chris Hoare arrived at the residence and upon looking through the **Target**  
18 **Vehicle** window identified a set of metal snips belonging to him on the front driver seat  
19 of the vehicle. The snips had been stored in the garage. C. Hoare also did not recognize  
20 the **Target Vehicle** and had not given any permission for any others to use the **Property**.

21 29. The renters returned to the **Property** and stated they had left everything  
22 locked when they left on the evening of November 7, 2023 and the **Target Vehicle** had  
23 not been present when they left. The renters had not given permission for anyone else to  
24 access or use the **Property**. The renters walked through the residence with me and did  
25 not note any of their personal property missing.

26 30. The **Property** does not have an alarm system or any cameras.  
27



**CONCLUSION**

31. Based on the foregoing, I submit there is probable cause to search the Target Vehicle for evidence, fruits and instrumentalities in violation of 18 USC § 661.

KEVIN  
BUCKLEY  
Digitally signed by KEVIN  
BUCKLEY  
Date: 2023.11.16  
11:10:48 -08'00'

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Kevin Buckley  
Law Enforcement Ranger  
Olympic National Park

The above-named agent provided a sworn statement to the truth of the foregoing affidavit by telephone on 17th day of November, 2023.

  
DAVID W. CHRISTEL  
United States Magistrate Judge

**ATTACHMENT A**

The property to be searched (the “**Target Vehicle**”) is a 2005 tan and spray painted black 2005 Jeep Grand Cherokee with Washington Plate BDA751 VIN 1J4HR58265C676481. The **Target Vehicle** is currently held in impound at the Clallam County Public Works Lot in Port Angeles, Washington.



This warrant authorizes the search of the **Target Vehicle** for the purpose of identifying the items described in Attachment B.

**ATTACHMENT B**

This warrant authorizes the government to search for evidence and/or fruits of the commission of Theft of Property within the United States Territorial Jurisdiction, in violation of 18 U.S.C. § 661, including but not limited to:

1. A set of yellow vehicle jumper cables that had been hanging on the wall of the garage;
2. Costco brand paper towels, toilet paper and, chemical wipes;
3. A 2.5-gallon red gas can;
4. A 5-gallon red gas can;
5. A yellowish extension cord;
6. Rolls of white or black trash bags;
7. A leaf blower;
8. A DeWalt battery charger and batteries;
9. A DeWalt chainsaw;
10. Other personal property associated with the owners or renters of the property located at 3703 East Beach Road Port Angeles, Washington;
11. Other personal property believed to be stolen, including but not limited to a voltage meter labelled “Clallam County 60833”;
12. Burglary tools and objects that could be used to obstruct security cameras, including but not limited to a 6-inch pry bar, screwdrivers, and spray paint; and
13. Evidence of ownership and use of the **Target Vehicle**.